

REMARKS

By this Amendment, Applicants amend claims 1, 6, 10, 12, and 13. Claims 1-13 are currently pending.

In the Office Action identified above, the Examiner objected claims 6-9 as dependent on a rejected base claim, but indicated that claims 6-9 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The Examiner rejected claims 1-3 and 10-13 under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,714,517 to Fawaz et al. ("Fawaz") in view of U.S. Patent Application Publication No. 2002/0075875 to Dravida et al. ("Dravida"); and rejected claims 4 and 5 under 35 U.S.C. § 103(a) as unpatentable over Fawaz in view of Dravida and further in view of U.S. Patent No. 6,047,000 to Tsang et al. ("Tsang").¹

Applicants thank the Examiner for pointing out allowable subject matter in claims 6-9. Applicants respectfully traverse the Examiner's objection and rejections under 35 U.S.C. § 103.

Regarding Claim Rejections

Applicants respectfully traverse the Examiner's rejection of claims 1-3 and 10-13 under 35 U.S.C. § 103(a) as unpatentable over Fawaz in view of Dravida. However, in order to expedite prosecution of this case, Applicants have amended independent claims 1, 10, 12, and 13 to incorporate allowable subject matter recited in claim 6, as indicated by the Examiner. Claims 1, 10, 12, and 13 now recite combinations including,

¹ The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.

for example, "buffering said packet in one of a plurality of queues, arranged in a hierarchical order, based on said classification of said packet and a priority of said packet assigned based on said hierarchical order," or similar language. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 10, 12, and 13 and timely allowance of claims 1, 10, 12, and 13.

Further, because claims 2 and 3 depend from claim 1 and claim 11 depends from claim 10, Applicants also request withdrawal of the rejection of claims 2, 3, and 11 for at least as being dependent from allowable base claims.

Applicants also respectfully traverse the Examiner's rejection of claims 4 and 5 under 35 U.S.C. § 103(a) as unpatentable over Fawaz in view of Dravida and Tsang. Because claims 4 and 5 depend from claim 1, the rejection of claims 4 and 5 should be withdrew for at least the reason that these claims depend from an allowable base claim.

Regarding Claim Objections

Applicants respectfully traverse the Examiner's objection to claims 6-9 as dependent on a rejected base claim. Claims 6-9 depend from claim 1, either directly or indirectly. As explained above, amended claim 1 is allowable over prior art of record. Thus, claims 6-9 depend from an allowable base claim. Accordingly, Applicants respectfully request withdrawal of the objection to claims 6-9 for at least the above reason and also a timely allowance of claims 6-9.

Conclusion


In view of the foregoing amendments and remarks, Applicants respectfully request reconsideration of this application and the timely allowance of all pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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